WPMB NO.502 OF 2003
Hon. P.C. Verma, A.C.J.
Hon. Irshad Hussain, J.

Heard Sri Naveent Kaushik, learned counsel for the petitioner and learned G.A.

This writ petition has been filed seeking a writ of mandamus to command the respondents not to harass the petitioner, not to arrest him, and not to hand over the petitioner no.2 to her father.

Acording to learned counsel for the petitioner, the petitioner no.2 is a major and is 19 years of age. She has married as per her own will and marriage certified is on record. Learned counsel for the petitioner submits that her statement may be recorded and according to her statement investigation may proceed. We will not exercise the power of Magistrate in this writ petition. We direct the concerned Magistrate to record the statement of the petitioner under section 164,Cr.P.C. and pass appropriate order after recording the statement of the petitioner no.2.

The petition is disposed of accordingly.

(P.C. Verma, A. C. J.) (Irshad Hussain, J.)

Dt. 9.6.2003

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